IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 20532 of 2006

Dated 20th November, 2006

Between

Savarapu Ramesh

....Petitioner

and

The Commandant, Office of the Commandant,
5, SIG,BN CRPF, Chandigarh and ors.

....Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 20532 of 2006

ORDER:

Though WPMP and WVMP are listed for hearing, at the request of learned Counsel appearing for both sides, the Writ Petition is taken up for final disposal in view of the alternative remedy provided in the service rules itself.

The petitioner, a Sub-Inspector of Police (Recruit trainee) has filed this Writ Petition questioning the order of termination of his service, issued in proceedings No.D.II-1/2006-Estt.I, dated 25-8-2006. The said order is passed in exercise of powers under Sub-rule (1) of Rule 5 of Central Civil Services (Temporary Service) Rules 1965. It is stated that the petitioner has not furnished some

information at the time of recruitment and orders were passed terminating the service without prior notice.

Counter affidavit is filed on behalf of the respondents opposing the relief prayed in the Writ Petition on various grounds. It is stated that the petitioner is having alternative remedy in the service rules by way of appeal to the head of the department as provided under Rule 5(1) of the Central Civil Services (Temporary Service) Rules 1965. As much as in the very rules, there is remedy of appeal, there is no special reason to entertain this Writ Petition. However, as the petitioner is undergoing training, I deem it appropriate to dispose of the Writ Petition permitting the petitioner to file appeal within a period of three weeks from today. If such an appeal is filed, the appellate authority shall consider and pass appropriate orders as expeditiously as possible. Pending disposal of the appeal, the impugned order dated 25-8-2006 shall remain suspended. It is made clear that if the appeal is not filed within the time specified above, it is open for the respondents to enforce the impugned order.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 20-11-2006.
Operative portion by Wire
At party's costs.
(BO)Msnr.

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